

**Exhibit A-1****Google's Proposed Claim Constructions for U.S. Patent No. 5,838,551**

<b>Term</b>	<b>Proposed Construction(s)</b>	<b>Supporting Evidence</b>
“extending across substantially the whole area within the confines of the edges of the substrate” [Google]	Indefinite  If not indefinite: “extending across the substrate area other than perforations to provide insulating clearance”	This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar's arguments regarding this phrase.
<b>Antecedent basis constructions</b>		
“the board” [Google & Rockstar]	Indefinite	This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar's arguments regarding this phrase.

**Exhibit A-2****Google's Proposed Claim Constructions for U.S. Patent No. 6,037,937**

<b>Term</b>	<b>Proposed Construction(s)</b>	<b>Supporting Evidence</b>
“control tool function” [Google]	“navigation function”	<p>The specification of the ‘937 patent, including the 1:15-17; 2:5-11, 2:18-30; 3:22-25; 3:32-35; 4:50-53; 4:58-59; 5:9-6:38 and Figs. 7A-11B and corresponding text.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
“physical viewing area” [Rockstar]	“display area”	<p>The specification of the ‘937 patent, including the 3:25-31; 4:22-53; 4:56-5:12; 5:27-33 and Figs. 7A-11B and corresponding text.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081  GOOG-NDCA-13-5933-CC-00000109-00000111  GOOG-NDCA-13-5933-CC-00000125-00000144  GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.</p>
<p>"manipulable area portion" [Rockstar]</p>	<p>"portion of the physical viewing area where displayed content information is subject to manipulation"</p>	<p>The specification of the '937 patent, including the 3:25-31; 4:50-60; 5:9-26; 5:27-33 and Figs. 7A-11B and corresponding text.</p> <p>The prosecution history of the '937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081  GOOG-NDCA-13-5933-CC-00000109-00000111  GOOG-NDCA-13-5933-CC-00000125-00000144  GOOG-NDCA-13-5933-CC-00000145-00000168</p>

Term	Proposed Construction(s)	Supporting Evidence
		Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.
“determining if the user input selects the control tool” [Rockstar]	Plain meaning	<p>The specification of the '937 patent, including the 5:14-19; 5:27-35; 6:35-38 and Figs. 7A-11B and corresponding text.</p> <p>The prosecution history of the '937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.</p>
“permitting the at least one control tool function to be activated when the user input does select the control tool” [Google]	“enabling the at least one control tool function to be activated once the user input selects the control tool”  (“control tool function” used as construed above)	<p>The specification of the '937 patent, including the 5:14-19; 5:27-35; 5:40-44 and Figs. 7A-11B and corresponding text.</p> <p>The prosecution history of the '937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>GOOG-NDCA-13-5933-CC-00000077-00000081  GOOG-NDCA-13-5933-CC-00000109-00000111  GOOG-NDCA-13-5933-CC-00000125-00000144  GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.</p>
<p>“user input”  [Rockstar]</p>	<p>Plain meaning</p> <p>See below – antecedent basis for “user input” is “user input” in the “receiving” limitation of claim 1, or the “means for receiving” limitation of claim 13</p>	<p>The specification of the '937 patent, including the 3:25-31; 4:22-40; 4:50-60; 5:9-12; 5:27-33 and Figs. 3A-11B and corresponding text.</p> <p>The prosecution history of the '937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081  GOOG-NDCA-13-5933-CC-00000109-00000111  GOOG-NDCA-13-5933-CC-00000125-00000144  GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied</p>

Term	Proposed Construction(s)	Supporting Evidence
		upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.
<p>“receiving a user input to the physical viewing area corresponding to the manipulable area portion and the representation of the control tool” [Rockstar]</p>	<p>“receiving a user input to the display area where the representation of the control tool overlays the manipulable area portion”</p>	<p>The specification of the '937 patent, including 3:25-31; 4:22-40; 4:50-60; 4:65-5:12; 5:27-33 and Figs. 3A-11B and corresponding text.</p> <p>The prosecution history of the '937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.</p>
<p>“means for providing a manipulable area portion in a physical viewing area, said manipulable area portion having at least one manipulation function associated therewith” [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> providing a manipulable area portion in a physical viewing area, said manipulable area portion having at least one manipulation function associated therewith</p> <p><b>Structure:</b> LCD 472 and memory 440 storing, and</p>	<p>The specification of the '937 patent, including 5:9-14, 5:29-33, Figures 3A-3B, 8, 10A-10C and corresponding text.</p> <p>The prosecution history of the '937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p>

Term	Proposed Construction(s)	Supporting Evidence
	feature processor 430 executing, program 510 which performs the algorithm disclosed at 5:9-14, 5:29-33, Figures 3A-3B, 8, 10A-10C.	<p>GOOG-NDCA-13-5933-CC-00000077-00000081</p> <p>GOOG-NDCA-13-5933-CC-00000109-00000111</p> <p>GOOG-NDCA-13-5933-CC-00000125-00000144</p> <p>GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.</p>
<p>“means for displaying a representation of a control tool overlaying the manipulable area portion, said control tool having at least one control tool function associated therewith” [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> displaying a representation of a control tool overlaying the manipulable area portion, said control tool having at least one control tool function associated therewith</p> <p><b>Structure:</b> LCD 472 and memory 440 storing, and feature processor 430 executing, program 510 and navigation program 530, which perform the algorithm disclosed at 5:9-16; 5:40-6:34, Figures 7A-7B, 8, 9A-9C, 10A-10C, 11A-11B.</p>	<p>The specification of the '937 patent, including 5:9-16; 5:40-6:34, Figures 7A-7B, 8, 9A-9C, 10A-10C, 11A-11B and corresponding text.</p> <p>The prosecution history of the '937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081</p> <p>GOOG-NDCA-13-5933-CC-00000109-00000111</p> <p>GOOG-NDCA-13-5933-CC-00000125-00000144</p> <p>GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any</p>

Term	Proposed Construction(s)	Supporting Evidence
<p>“means for receiving a user input to the physical viewing area corresponding to the manipulable area portion and the representation of the control tool” [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> receiving a user input to the physical viewing area corresponding to the manipulable area portion and the representation of the control tool</p> <p><b>Structure:</b> LCD 472 with an analog touch screen panel 474 and analog controller 460, memory 440 and feature processor 430, where analog controller 460 scans touch screen overlay 474 while feature processor 430 refreshes LCD 472 and memory 440 stores, and feature processor 430 executes, program 510 and touchscreen program 520, which perform the algorithm disclosed at 4:65-5:8, Figures 3A-3B, 4, 6, 8, 10A-10C.</p>	<p>contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p> <p>The specification of the ‘937 patent, including 4:65-5:8, Figures 3A-3B, 4, 6, 8, 10A-10C and corresponding text.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
<p>“means for determining if the user input selects the control tool” [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> determining if the user input selects the control tool</p> <p><b>Structure:</b> LCD 472 with an analog touch screen panel 474 and analog controller 460, memory 440 and feature processor 430, where analog controller 460 scans touch screen overlay 474 while feature processor 430 refreshes LCD 472 and memory 440</p>	<p>The specification of the ‘937 patent, including 5:16-19 and corresponding text.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081</p>



Term	Proposed Construction(s)	Supporting Evidence
	stores, and feature processor 430 executes, program 510 and touchscreen program 520, which perform the algorithm disclosed at 5:16-19.	<p>GOOG-NDCA-13-5933-CC-00000109-00000111</p> <p>GOOG-NDCA-13-5933-CC-00000125-00000144</p> <p>GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
<p>“means for activating the at least one manipulation function when the user input does not select the control tool or permitting the at least one control tool function to be activated when the user input does select the control tool”</p> <p>[Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> activating the at least one manipulation function when the user input does not select the control tool or permitting the at least one control tool function to be activated when the user input does select the control tool</p> <p><b>Structure:</b> Memory 440 storing, and feature processor 430 executing, program 510 and navigation program 530, which perform the algorithm disclosed at 5:16-19, 5:27-33.</p>	<p>The specification of the ‘937 patent, including 5:16-19, 5:27-33.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081</p> <p>GOOG-NDCA-13-5933-CC-00000109-00000111</p> <p>GOOG-NDCA-13-5933-CC-00000125-00000144</p> <p>GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
<p>“means for receiving a subsequent user input selecting</p>	<p>Subject to § 112, ¶ 6</p>	<p>The specification of the ‘937 patent, including 5:40-6:24, Figures 9A-9C, 10A-</p>

Term	Proposed Construction(s)	Supporting Evidence
<p>a predetermined portion of the control tool, after at least one control tool function is permitted to be activated” [Rockstar]</p>	<p><b>Function:</b> receiving a subsequent user input selecting a predetermined portion of the control tool, after at least one control tool function is permitted to be activated</p> <p><b>Structure:</b> LCD 472 with an analog touch screen panel 474 and analog controller 460, memory 440 and feature processor 430, where analog controller 460 scans touch screen overlay 474 while feature processor 430 refreshes LCD 472 and memory 440 stores, and feature processor 430 executes, program 510, touchscreen program 520 and navigation program 530, which perform the algorithm disclosed at 5:40-6:24, Figures 9A-9C, 10A-10C, 11A-11B.</p>	<p>10C, 11A-11B and corresponding text.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
<p>“means for activating the function of changing a display of information in response to the subsequent user input” [Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> activating the function of changing a display of information in response to the subsequent user input</p> <p><b>Structure:</b> LCD 472 with an analog touch screen panel 474 and analog controller 460, memory 440 and feature processor 430, where analog controller 460 scans touch screen overlay 474 while feature processor 430 refreshes LCD 472 and memory 440 stores, and feature processor 430 executes, program 510, touchscreen program 520 and navigation program 530, which perform the algorithm disclosed at 5:40-6:24, Figures 9A-9C, 11A-11B.</p>	<p>The specification of the ‘937 patent, including 5:40-6:24, Figures 9A-9C, 11A-11B and corresponding text.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
<p>“wherein the means for displaying a representation of the control tool includes displaying arrows indicating direction” [Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> displaying arrows indicating direction</p> <p><b>Structure:</b> LCD 472 and memory 440 storing, and feature processor 430 executing, program 510 and navigation program 530, which perform the algorithm disclosed at 5:40-63, 6:11-20, Figures 7A-7B, 8, 9A-9C, 10A-10C, 11A-11B</p>	<p>The specification of the ‘937 patent, including 5:40-63, 6:11-20, Figures 7A-7B, 8, 9A-9C, 10A-10C, 11A-11B and corresponding text.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
<p>“wherein the means for displaying the representation of the control tool includes displaying an opaque</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> displaying an opaque representation of the control tool</p>	<p>The specification of the ‘937 patent, including 5:22-26, Figures 8, 10A-10C and corresponding text.</p>

Term	Proposed Construction(s)	Supporting Evidence
<p>representation of the control tool” [Rockstar]</p>	<p><b>Structure:</b> LCD 472 and memory 440 storing, and feature processor 430 executing, program 510 and navigation program 530, which perform the algorithm disclosed at 5:22-26, Figures 8, 10A-10C.</p>	<p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘937 patent.</p>
<p>“wherein the means for displaying the representation of the control tool includes displaying a virtually transparent representation of the control tool” [Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p><b>Function:</b> displaying a virtually transparent of the control tool</p> <p><b>Structure:</b> LCD 472 and memory 440 storing, and feature processor 430 executing, program 510 and navigation program 530, which perform the algorithm disclosed at 5:19-22, 6:25-31.</p>	<p>The specification of the ‘937 patent, including 5:19-22, 6:25-31.</p> <p>The prosecution history of the ‘937 patent, including Jan. 22, 1999 Amendment, June 16, 1999 Amendment, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000077-00000081 GOOG-NDCA-13-5933-CC-00000109-00000111 GOOG-NDCA-13-5933-CC-00000125-00000144 GOOG-NDCA-13-5933-CC-00000145-00000168</p>

Term	Proposed Construction(s)	Supporting Evidence
		Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '937 patent.

**Exhibit A-3****Google's Proposed Claim Constructions for U.S. Patent No. 6,128,298**

<b>Term</b>	<b>Proposed Construction(s)</b>	<b>Supporting Evidence</b>
“filter node” [Google]	“communications device which assigns its own public IP address and a unique port value to each concurrent IP session between public and private nodes”	<p>The specification of the ‘298 patent, including the Abstract; cols. 1:5-20; 1:26-67; 2:37-52; 2:65-3:50; 4:32-43; 4:57-6:28; 7:65-8:11; 8:21-65 and Figs. 1-2 and accompanying text.</p> <p>The prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
“in correlation with” [Google]	“indexed by”	<p>The specification of the ‘298 patent, including the Abstract; cols. 2:65-3:51; 2:32-51; 4:32-44 and 5:37-6:28.</p> <p>The prosecution history of the ‘298 patent.</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“maintaining, by the filter node” [Google]</p>	<p>“storing, by the filter node, in a lookup table indexed by filter node port value”</p>	<p>The specification of the ‘298 patent, including the Abstract; cols. 2:65-3:51; 2:32-51; 4:32-44 and 5:37-6:28.</p> <p>The prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>RKS_NDCA_0160464-0160468  RKS_NDCA_0160512-0160514  RKS_NDCA_0001289-0001299  RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“maintaining the source information taken from the outgoing data packet in correlation with a unique value representing a port of the filter node”  [Google]</p>	<p>“storing the source information taken from the outgoing data packet in a lookup table indexed by filter node port value”</p>	<p>The specification of the ‘298 patent, including the Abstract; cols. 2:65-3:51; 2:32-51; 4:32-44 and 5:37-6:28.</p> <p>The prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton  September 10, 2014 Deposition of William Colvin  RKS_NDCA_0160464-0160468  RKS_NDCA_0160512-0160514  RKS_NDCA_0001289-0001299  RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>



Term	Proposed Construction(s)	Supporting Evidence
<p>“maintaining the source address taken from the data packet” [Google]</p>	<p>“storing the source address taken from the data packet in a lookup table indexed by filter node port value”</p>	<p>The specification of the ‘298 patent, including the Abstract; cols. 2:65-3:51; 2:32-51; 4:32-44 and 5:37-6:28.</p> <p>The prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for receiving from the first network, a data packet having destination information, which includes a destination address and a destination port, corresponding to a node in the second network and having source information, which includes a source address and a source port, corresponding to a node in the first network”</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 7:59–8:8, 8:52-60, Fig. 2 and corresponding text.</p>

Term	Proposed Construction(s)	Supporting Evidence
(claim 27) [Google & Rockstar]	<p><b>Function:</b> receiving from the first network, a data packet having destination information, which includes a destination address and a destination port, corresponding to a node in the second network and having source information, which includes a source address and a source port, corresponding to a node in the first network.</p> <p><b>Structure:</b> Ethernet hardware interfaces, packet drivers 30 and 32, and IP handler 38 of IP filter 12, as disclosed at 7:59–8:8, 8:52-60 and Fig. 2.</p>	<p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for receiving from the first network, a data packet having a destination address corresponding to a node in the second network” (claim 31) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> receiving from the first network, a data</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 7:59–8:8, 8:52-60, Fig. 2 and corresponding text.</p> <p>To the extent not indefinite, Google</p>

Term	Proposed Construction(s)	Supporting Evidence
	<p>packet having a destination address corresponding to a node in the second network.</p> <p><b>Structure:</b> Ethernet hardware interfaces, packet drivers 30 and 32, and IP handler 38 software of IP filter 12, as disclosed at 7:59–8:8, 8:52-60 and Fig. 2.</p>	<p>identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for maintaining the source information taken from the outgoing data packet in correlation with a unique value representing a port of the filter node” (claim 27) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> maintaining source information taken from the data packet with a unique port value.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 2:65-3:2, 3:10-11, 3:33-37, 4:32-37 and 5:38-6:23.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office</p>

Term	Proposed Construction(s)	Supporting Evidence
	<p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 8:9-11 and Fig. 2. Within software, lookup table for TCP packets indexed by filter node port value and lookup table for UDP packets indexed by filter node port value, as disclosed at 2:65-3:2, 3:10-11, 3:33-37, 4:32-37, 5:38-6:23.</p>	<p>Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for maintaining the source address taken from the data packet” (claim 31) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> maintaining the source address taken from the data packet.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 2:65-3:2, 3:10-11, 3:33-37, 4:32-37 and 5:38-6:23.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action;</p>

Term	Proposed Construction(s)	Supporting Evidence
	disclosed at 8:9-11 and Fig. 2. Within software, lookup table for TCP packets indexed by filter node port value and lookup table for UDP packets indexed by filter node port value, as disclosed at 2:65-3:2, 3:10-11, 3:33-37, 4:32-37, 5:38-6:23.	<p>February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton</p> <p>September 10, 2014 Deposition of William Colvin</p> <p>RKS_NDCA_0160464-0160468</p> <p>RKS_NDCA_0160512-0160514</p> <p>RKS_NDCA_0001289-0001299</p> <p>RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '298 patent.</p>
<p>“means for replacing in the data packet the source address with an address of the filter node and the source port with the filter node port value” (claim 27) / “means for replacing, in the data packet, the source address with an address of the filter node, wherein the source address includes a source port number and the address of the filter node includes a port number of the filter node” (claim 31)</p> <p>[Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> replacing in the data packet the source address with an address of the filter node and the source port with the filter node port value.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 8:9-11 and Fig. 2. Within software,</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar's arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the '298 patent, including 2:65-3:2, 3:10-11, 3:33-37, 4:32-37 and 5:38-6:23.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the '298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p>

Term	Proposed Construction(s)	Supporting Evidence
	lookup table for TCP packets indexed by filter node port value and lookup table for UDP packets indexed by filter node port value, as disclosed at 2:65-3:2, 3:10-11, 3:33-37, 4:32-37, 5:38-6:23.	<p>September 9, 2014 Deposition of Bruce Wootton</p> <p>September 10, 2014 Deposition of William Colvin</p> <p>RKS_NDCA_0160464-0160468</p> <p>RKS_NDCA_0160512-0160514</p> <p>RKS_NDCA_0001289-0001299</p> <p>RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '298 patent.</p>
<p>“means for sending to the second network, the data packet having the replaced source information, whereby that packet is routed according to its destination information to the corresponding second network node” (claim 27) / “means for sending to the second network the data packet having the replaced source address, whereby that packet is routed to the corresponding second network node” (claim 31)</p> <p>[Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> sending to the second network, the data packet having the replaced source information, whereby that packet is routed according to its destination information to the corresponding second network node</p> <p><b>Structure:</b> Ethernet hardware interfaces, packet drivers 30 and 32, and IP handler 38 software of IP filter 12, as</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 7:59–8:8, 8:52-60, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce</p>

Term	Proposed Construction(s)	Supporting Evidence
	disclosed at 7:59–8:8, 8:52-60 and Fig. 2.	<p>Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for replacing, in the data packet, the destination information with the particular source information” (claim 28) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> replacing, in the data packet, the destination information with the particular source information.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 8:9-11 and Fig. 2. Within software, lookup table for TCP packets indexed by filter node port value and lookup table for UDP packets indexed by filter node port value, as disclosed at 2:65-3:2, 3:10-11, 3:33-37, 4:32-37, 5:38-6:23.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 2:65-3:2, 3:10-11, 3:33-37, 4:32-37 and 5:38-6:23.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William</p>



Term	Proposed Construction(s)	Supporting Evidence
		<p>Colvin  RKS_NDCA_0160464-0160468  RKS_NDCA_0160512-0160514  RKS_NDCA_0001289-0001299  RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '298 patent.</p>
<p>“means for receiving from the second network, a data packet having the address of the filter node as the destination address”  (claim 28)  [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> receiving from the second network, a data packet having the address of the filter node as the destination address.</p> <p><b>Structure:</b>  Ethernet hardware interfaces, packet drivers 30 and 32, and IP handler 38 software of IP filter 12, as disclosed at 7:59–8:8, 8:25-35, 8:61-65 and Fig. 2.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the '298 patent, including 7:59–8:8, 8:25-35, 8:61-65, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the '298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton  September 10, 2014 Deposition of William Colvin  RKS_NDCA_0160464-0160468</p>



Term	Proposed Construction(s)	Supporting Evidence
		<p>RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for correlating the destination port of the destination information in the data packet to particular source information being maintained” (claim 28) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> correlating the destination port of the destination information in the data packet to particular source information being maintained.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 8:9-11 and Fig. 2. Within software, lookup table for TCP packets indexed by filter node port value and lookup table for UDP packets indexed by filter node port value, as disclosed at 2:65-3:2, 3:10-11, 3:33-37, 4:32-37, 5:38-6:23.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 2:65-3:2, 3:10-11, 3:33-37, 4:32-37 and 5:38-6:23.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for sending to the first network the data packet having the replaced destination information, whereby that packet is routed according to its destination information to the corresponding first network node” (claim 28) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> sending to the first network the data packet having the replaced destination information, whereby that packet is routed according to its destination information to the corresponding first network node.</p> <p><b>Structure:</b> Ethernet hardware interfaces, packet drivers 30 and 32, and IP handler 38 software of IP filter 12, as disclosed at 7:59–8:8, 8:25-35, 8:61-65 and Fig. 2.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 7:59–8:8, 8:25-35, 8:61-65, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p>

Term	Proposed Construction(s)	Supporting Evidence
		Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.
<p>“means for ignoring a data packet received from the second network, if the destination port of the destination information in that data packet can not be correlated to the maintained source information” (claim 29) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> ignoring a data packet received from the second network, if the destination port of the destination information in that data packet can not be correlated to the maintained source information.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 6:19-23, 8:9-11 and Fig. 2.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 6:19-23, 8:9-11, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any</p>

Term	Proposed Construction(s)	Supporting Evidence
<p>“means for storing the source information from the data packet as an entry in a lookup table, and wherein the filter node port value correlating to the source information constitutes an index into the table for that entry” (claim 30) [Google]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> storing the source information from the data packet as an entry in a lookup table, and wherein the filter node port value correlating to the source information constitutes an index into the table for that entry.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 8:9-11 and Fig. 2. Within software, lookup table for TCP packets indexed by filter node port value and lookup table for UDP packets indexed by filter node port value, as disclosed at 2:65-3:2, 3:10-11, 3:33-37, 4:32-37, 5:38-6:23.</p>	<p>contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p> <p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 2:65-3:2, 3:10-11, 3:33-37, 4:32-37 and 5:38-6:23.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298</p>

Term	Proposed Construction(s)	Supporting Evidence
<p>“means for receiving a return packet from the second network, responsive to the data packet having the replaced source information” (claim 31) [Google &amp; Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> receiving a return packet from the second network, responsive to the data packet having the replaced source information.</p> <p><b>Structure:</b> Ethernet hardware interfaces, packet drivers 30 and 32, and IP handler 38 software of IP filter 12, as disclosed at 7:59–8:8, 8:25-35, 8:61-65 and Fig. 2.</p>	<p>patent.</p> <p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 7:59–8:8, 8:25-35, 8:61-65, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for replacing in the</p>	<p>Subject to § 112, ¶ 6</p>	<p>This term is indefinite. No portion of the</p>

Term	Proposed Construction(s)	Supporting Evidence
<p>return packet, the destination address with the maintained source address” (claim 31) [Google &amp; Rockstar]</p>	<p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> replacing, in the return packet, the destination address with the maintained source address.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 8:9-11 and Fig. 2. Within software, lookup table for TCP packets indexed by filter node port value and lookup table for UDP packets indexed by filter node port value, as disclosed at 2:65-3:2, 3:10-11, 3:33-37, 4:32-37, 5:38-6:23.</p>	<p>specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 2:65-3:2, 3:10-11, 3:33-37, 4:32-37 and 5:38-6:23.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for sending to the first network the return packet</p>	<p>Subject to § 112, ¶ 6</p>	<p>This term is indefinite. No portion of the specification or file history renders it</p>

Term	Proposed Construction(s)	Supporting Evidence
<p>having the replaced destination address, whereby that packet is routed to the corresponding the first network node” (claim 31) [Google &amp; Rockstar]</p>	<p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> sending to the first network the return packet having the replaced destination address, whereby that packet is routed to the corresponding the first network node.</p> <p><b>Structure:</b> Ethernet hardware interfaces, packet drivers 30 and 32, and IP handler 38 software of IP filter 12, as disclosed at 7:59–8:8, 8:25-35, 8:61-65 and Fig. 2.</p>	<p>definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 7:59–8:8, 8:25-35, 8:61-65, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
<p>“means for buffering further data packets received from the first network while waiting for the return packet”</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this</p>



Term	Proposed Construction(s)	Supporting Evidence
(claim 32) [Google & Rockstar]	<p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> buffering further data packets received from the first network while waiting for the return packet.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 3:52-62, 8:9-11 and Fig. 2.</p>	<p>phrase is indefinite, and to rebut Rockstar's arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the '298 patent, including 3:52-62, 8:9-11, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the '298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '298 patent.</p>
"means for controlling means (b) through (g) on an individual basis for processing the further packets, if any, that were buffered" (claim 32)	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar's arguments regarding this phrase.</p>



Term	Proposed Construction(s)	Supporting Evidence
[Google & Rockstar]	<p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> controlling means (b) through (g) on an individual basis for processing the further packets, if any, that were buffered.</p> <p><b>Structure:</b> Address translation 40 software of IP filter 12, as disclosed at 3:52-62, 8:9-11 and Fig. 2.</p>	<p>To the extent not indefinite, Google identifies the specification of the ‘298 patent, including 3:52-62, 8:9-11, Fig. 2 and accompanying text.</p> <p>To the extent not indefinite, Google identifies the prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton September 10, 2014 Deposition of William Colvin RKS_NDCA_0160464-0160468 RKS_NDCA_0160512-0160514 RKS_NDCA_0001289-0001299 RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘298 patent.</p>
“ignoring” [Google]	“dropping”	<p>The specification of the ‘298 patent, including cols. 2:53-57; 3:10-51; 5:30-6:61; 7:11-38; 8:25-35.</p> <p>The prosecution history of the ‘298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton</p> <p>September 10, 2014 Deposition of William Colvin</p> <p>RKS_NDCA_0160464-0160468</p> <p>RKS_NDCA_0160512-0160514</p> <p>RKS_NDCA_0001289-0001299</p> <p>RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '298 patent.</p>
<b>Antecedent basis constructions</b>		
<p>“the source address taken from the data packet”</p> <p>[Google]</p>	Indefinite	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p>
<p>“the public node network”</p> <p>[Google]</p>	Indefinite	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p>
<b>Order of steps of method claims</b>		
<p>Order of steps of claims 11, 14, 15, 19, 23, 24</p> <p>[Google]</p>	<p>11.1 must occur before 11.2.</p> <p>11.2 must occur after 11.1 and before 11.3.</p> <p>11.3 must occur after 11.2 and before 11.4.</p>	<p>The specification of the '298 patent, including Abstract; 1:26-35; 2:65-3:62; 5:1-7:36; 8:21-65.</p>

Term	Proposed Construction(s)	Supporting Evidence
	<p>11.5 must occur after 11.4 and before 11.6.  11.7 must occur after 11.6 and before 11.8.  11.8 must occur after 11.7.</p> <p>14.1 must occur before 14.2.  14.2 must occur after 14.1 and before 14.3.  14.3 must occur after 14.2 and before 14.4.  14.4 must occur after 14.3 and before 14.5.  14.5 must occur after 14.</p> <p>15.2 must occur before 15.3.  15.3 must occur after 15.2 and before 15.4.  15.4 must occur after 15.3 and before 15.5.  15.5 must occur after 15.4.</p> <p>19.1 must occur before 19.2.  19.2 must occur after 19.1 and before 19.3.  19.3 must occur after 19.2 and before 19.4.  19.5 must occur after 19.4 and before 19.6.  19.7 must occur after 19.6 and before 19.8.  19.8 must occur after 19.7 and before 19.9.  19.9 must occur after 19.8 and before 19.10.  19.10 must occur after 19.9 and before 19.11.  19.11 must occur after 19.10 and before 19.12.  19.12 must occur after 19.11 and before 19.13.  19.13 must occur after 19.12 and before 19.14.  19.14 must occur after 19.13.</p> <p>23.1 must occur before 23.2.  23.2 must occur after 23.1 and before 23.3.  23.3 must occur after 23.2 and before 23.4.  23.5 must occur after 23.4 and before 23.6.  23.7 must occur after 23.6 and before 23.8.  23.8 must occur after 23.7 and before 23.9.  23.9 must occur after 23.8 and before 23.10.  23.10 must occur after 23.9 and before 23.11.  23.11 must occur after 23.10 and before 23.12.</p>	<p>The prosecution history of the '298 patent, including April 22, 1999 Office Action; July 15, 1999 Declaration and Exhibits; October 7, 1999 Office Action; February 25, 2000 Amendment and Reply, and prior art references cited therein.</p> <p>September 9, 2014 Deposition of Bruce Wootton  September 10, 2014 Deposition of William Colvin  RKS_NDCA_0160464-0160468  RKS_NDCA_0160512-0160514  RKS_NDCA_0001289-0001299  RKS_NDCA_0001285-0001288</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '298 patent.</p>

Term	Proposed Construction(s)	Supporting Evidence
	<p>23.12 must occur after 23.11 and before 23.13. 23.13 must occur after 23.12.</p> <p>24.1 must occur before 24.2. 24.2 must occur after 24.1 and before 24.3. 24.3 must occur after 24.2 and before 24.4. 24.5 must occur after 24.4 and before 24.6. 24.7 must occur after 24.6 and before 24.8. 24.8 must occur after 24.7.</p>	

**Exhibit A-4****Google's Proposed Claim Constructions for U.S. Patent No. 6,333,973**

<b>Term</b>	<b>Proposed Construction(s)</b>	<b>Supporting Evidence</b>
"pending message" [Google]	message awaiting download	<p>The specification of the '973 patent, including cols. 2:7-23, 4:1-7, 7:7-8:10, 8:52-65, claim 27, and Figs. 1, 3, 5-7 and accompanying text.</p> <p>The prosecution history of the '973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action, February 12, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003  GOOG-NDCA-13-5933-CC-00000006-00000008  GOOG-NDCA-13-5933-CC-00000085-00000091  GOOG-NDCA-13-5933-CC-00000095-00000100  GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.</p>
"notification message" (as used in the phrases "notification	message notifying the user of a pending message	The specification of the '973 patent, including cols. 7:7-8:10, 8:27-45, and Figs.

Term	Proposed Construction(s)	Supporting Evidence
messages corresponding to pending messages”) (claims 1, 8, 21) [Google]	(“pending message” as construed above)	<p>1-5, 7 and accompanying text.</p> <p>The prosecution history of the ‘973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, July 16, 1999 Office Action, November 12, 1999 Amendment &amp; Remarks, December 10, 1999 Office Action, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action, February 12, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003  GOOG-NDCA-13-5933-CC-00000006-00000008  GOOG-NDCA-13-5933-CC-00000085-00000091  GOOG-NDCA-13-5933-CC-00000095-00000100  GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘973 patent.</p>
“retrieving” [Google]	downloading from the network services provider	<p>The specification of the ‘973 patent, including cols. 1:40-46, 10:3-65, claim 27, and Figs. 1-5, 7, 11-12 and accompanying text.</p> <p>The prosecution history of the ‘973 patent, including February 11, 1999 Office Action,</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>May 7, 1999 Amendment &amp; Remarks, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action, February 12, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003  GOOG-NDCA-13-5933-CC-00000006-00000008  GOOG-NDCA-13-5933-CC-00000085-00000091  GOOG-NDCA-13-5933-CC-00000095-00000100  GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘973 patent.</p>
<p>“wherein the notification messages are received from an interface with independent connections with different bandwidths for [the] different types of pending messages” [Google]</p>	<p>wherein the notification messages are received from an element of the network services provider having independent connections with different bandwidths for the different types of pending messages</p> <p>(“notification message” as construed above)</p>	<p>The specification of the ‘973 patent, including cols. 3:48-5:8, 5:14-62, 7:7-8:10, claim 27, and Figs. 1-5 and accompanying text.</p> <p>The prosecution history of the ‘973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, July 16, 1999 Office Action, November 12, 1999 Amendment &amp; Remarks, December 10, 1999 Office Action, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action,</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>January 9, 2001 Interview Summary &amp; Attachment, February 12, 2001 Amendment &amp; Remarks, April 6, 2001 Office Action, May 29, 2001 Amendment &amp; Remarks, June 8, 2001 Notice of Allowability &amp; Reasons for Allowance, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003  GOOG-NDCA-13-5933-CC-00000006-00000008  GOOG-NDCA-13-5933-CC-00000085-00000091  GOOG-NDCA-13-5933-CC-00000095-00000100  GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.</p>
<p>“wherein the notification messages are received from an interface with independent connections with different bandwidths for the different types of the plurality of message senders” [Google]</p>	<p>wherein the notification messages are received from an element of the network services provider having independent connections with different bandwidths for the different types of the plurality of message senders</p> <p>(“notification message” as construed above)</p>	<p>The specification of the '973 patent, including cols. 3:48-5:8, 5:14-62, 7:7-8:10, claim 27, and Figs. 1-5 and accompanying text.</p> <p>The prosecution history of the '973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, July 16, 1999 Office Action, November 12, 1999 Amendment &amp; Remarks, December 10, 1999 Office Action, March 30, 2000 Office Action, June 29, 2000 Amendment &amp;</p>



Term	Proposed Construction(s)	Supporting Evidence
		<p>Remarks, September 11, 2000 Office Action, January 9, 2001 Interview Summary &amp; Attachment, February 12, 2001 Amendment &amp; Remarks, April 6, 2001 Office Action, May 29, 2001 Amendment &amp; Remarks, June 8, 2001 Notice of Allowability &amp; Reasons for Allowance, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003  GOOG-NDCA-13-5933-CC-00000006-00000008  GOOG-NDCA-13-5933-CC-00000085-00000091  GOOG-NDCA-13-5933-CC-00000095-00000100  GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘973 patent.</p>
<p>“means for automatically receiving notification messages corresponding to pending messages of different types, the notification messages including information regarding the source of each of the pending messages and the type of each of the pending messages, wherein each of the notification messages is automatically sent</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6</p> <p><b>Function:</b>  1) automatically receiving notification messages corresponding to pending messages of different types and including information regarding the source of each of the pending messages and the type of each of the pending messages, from an interface with independent connections with different bandwidths for the different types of pending messages; and  2) automatically sending each of the notification</p>	<p>The specification of the ‘973 patent, including cols. 1:40-46, 2:7-23, 3:48-5:8, 5:14-62, 7:7-8:10, 8:27-45, 8:52-65, 10:3-65, claim 27, and Figs. 1-5, 7, 11-12 and accompanying text.</p> <p>The prosecution history of the ‘973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, July 16, 1999 Office Action, November 12, 1999 Amendment &amp; Remarks, December 10, 1999</p>

Term	Proposed Construction(s)	Supporting Evidence
to the user when one of the pending messages is initially received and wherein the notification messages are received from an interface with independent connections with different bandwidths for the different types of pending messages” [Google / Rockstar]	<p>messages to the user when one of the pending messages is initially received</p> <p><b>Structure:</b> Antenna 3100 and GSM radio 3210 of FIG. 3, the Global System for Mobile Communication (GSM) switching fabric in block 1800 of FIG. 1; and the interface at the network service provider in block 5100 of FIG. 5 and elements connected to it, as disclosed in 7:1-8:9.</p>	<p>Office Action, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action, January 9, 2001 Interview Summary &amp; Attachment, February 12, 2001 Amendment &amp; Remarks, April 6, 2001 Office Action, May 29, 2001 Amendment &amp; Remarks, June 8, 2001 Notice of Allowability &amp; Reasons for Allowance, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘973 patent.</p>
“means for determining a message type of the pending messages from the information corresponding to the received notification messages” [Google / Rockstar]	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function</i></p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘973 patent.</p>

Term	Proposed Construction(s)	Supporting Evidence
	<p><i>(which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> determining a message type of the pending messages from the information corresponding to the received notification messages</p> <p><b>Structure:</b> Feature processor 3300, memory 3400, and Message Center 6100 software of Device 1100 performing the alleged algorithm as disclosed in 5:50-6:2 and 8:27-35.</p>	<p>including cols. 5:50-6:2 and 8:27-35, and Figs. 1-5, 7 and accompanying text.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘973 patent.</p>
<p>“means for associating a message type indicator with each of the received notification messages based on the determined message type” [Google / Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> associating a message type indicator with each of the received notification messages based on the determined message type</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘973 patent, including cols. 5:50-6:2, 8:27-35, and 8:40-45, and Figs. 1-5, 7 and accompanying text.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008</p>

Term	Proposed Construction(s)	Supporting Evidence
	<b>Structure:</b> Feature processor 3300, memory 3400, and Message Center 6100 software of Device 1100 performing the alleged algorithm as disclosed in 5:50-6:2 and 8:27-35, and 8:40-45.	GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124  Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.
“means for receiving a selection of one of the pending messages based on the entries in the single selectable list” [Google / Rockstar]	Governed by 35 U.S.C. § 112 ¶ 6  <b>Function:</b> receiving a selection of one of the pending messages based on the entries in the single selectable list  <b>Structure:</b> Feature processor 3300, memory 3400, display module 3700 with an analog touch screen overlay or hard keys, analog controller 3600, and Message Center 6100 software of Device 1100 performing the algorithm as disclosed in 5:50-6:54 and 8:27-65.	The specification of the '973 patent, including cols. 5:50-6:54, 8:27-65, and Figs. 1-5, 7 and accompanying text.  GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124  Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.
“means for retrieving [manipulating] the selected pending message for viewing	Governed by 35 U.S.C. § 112 ¶ 6  <b>Function:</b>	The specification of the '973 patent, including cols. 1:40-46, 2:7-23, 3:48-5:8, 5:14-62, 7:7-8:10, 8:27-45, 8:52-65, 10:3-65.

Term	Proposed Construction(s)	Supporting Evidence
<p>and manipulation by the user.” [Google / Rockstar]</p>	<p>retrieving the selected pending message for viewing and manipulation by the user</p> <p><b>Structure:</b> Antenna 3100 and GSM radio 3210 of FIG. 3, as disclosed in 9:54-60, 10:18-25, and 10:48-56.</p>	<p>claim 27, and Figs. 1-5, 7, 11-12 and accompanying text.</p> <p>The prosecution history of the ‘973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, July 16, 1999 Office Action, November 12, 1999 Amendment &amp; Remarks, December 10, 1999 Office Action, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action, January 9, 2001 Interview Summary &amp; Attachment, February 12, 2001 Amendment &amp; Remarks, April 6, 2001 Office Action, May 29, 2001 Amendment &amp; Remarks, June 8, 2001 Notice of Allowability &amp; Reasons for Allowance, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘973 patent.</p>
“means for accessing an	Governed by 35 U.S.C. § 112 ¶ 6	The specification of the ‘973 patent.

Term	Proposed Construction(s)	Supporting Evidence
external mail server” [Google / Rockstar]	<p><b>Function:</b> accessing an external mail server</p> <p><b>Structure:</b> Antenna in block 3100 and GSM radio 3210 of FIG. 3 performing the algorithm as disclosed in 9:54-10:2, 10:18-30, and 10:48-56.</p>	<p>including cols. 1:40-46, 2:7-23, 3:48-5:8, 5:14-62, 7:7-8:10, 8:27-45, 8:52-65, 10:3-65, claim 27, and Figs. 1-5, 7, 11-12 and accompanying text.</p> <p>The prosecution history of the ‘973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, July 16, 1999 Office Action, November 12, 1999 Amendment &amp; Remarks, December 10, 1999 Office Action, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action, January 9, 2001 Interview Summary &amp; Attachment, February 12, 2001 Amendment &amp; Remarks, April 6, 2001 Office Action, May 29, 2001 Amendment &amp; Remarks, June 8, 2001 Notice of Allowability &amp; Reasons for Allowance, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘973</p>

Term	Proposed Construction(s)	Supporting Evidence
		patent.
<p>“means for retrieving the selected pending message from the external mail server” [Google / Rockstar]</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6</p> <p><b>Function:</b> retrieving the selected pending message from the external mail server</p> <p><b>Structure:</b> Antenna 3100 and GSM radio 3210 of FIG. 3 performing the algorithm as disclosed in 9:54-10:2, 10:18-30, and 10:48-56</p>	<p>The specification of the ‘973 patent, including cols. 31:40-46, 2:7-23, 3:48-5:8, 5:14-62, 7:7-8:10, 8:27-45, 8:52-65, 10:3-65, claim 27, and Figs. 1-5, 7, 11-12 and accompanying text.</p> <p>The prosecution history of the ‘973 patent, including February 11, 1999 Office Action, May 7, 1999 Amendment &amp; Remarks, July 16, 1999 Office Action, November 12, 1999 Amendment &amp; Remarks, December 10, 1999 Office Action, March 30, 2000 Office Action, June 29, 2000 Amendment &amp; Remarks, September 11, 2000 Office Action, January 9, 2001 Interview Summary &amp; Attachment, February 12, 2001 Amendment &amp; Remarks, April 6, 2001 Office Action, May 29, 2001 Amendment &amp; Remarks, June 8, 2001 Notice of Allowability &amp; Reasons for Allowance, and prior art references cited therein.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124</p>

Term	Proposed Construction(s)	Supporting Evidence
		Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.
<p>“means for associating a message type indicator with each of the received notification messages based on the message type of the corresponding pending message” [Google / Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> associating a message type indicator with each of the received notification messages based on the message type of the corresponding pending message</p> <p><b>Structure:</b> Feature processor 3300, memory 3400, and Message Center 6100 software of Device 1100 performing the alleged algorithm as disclosed in 5:50-6:2 and 8:27-35, and 8:40-45.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar's arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the '973 patent, including cols. 5:50-6:2, 8:27-35, and 8:40-45, and Figs. 1-5, 7 and accompanying text.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003 GOOG-NDCA-13-5933-CC-00000006-00000008 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100 GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.</p>
<b>Order of steps of method claims</b>		
Order of steps of claim 8	8.1 must occur before 8.2.	The specification of the '973 patent, including 7:30-8:10, 8:35-9:5, 9:54-10:2.



Term	Proposed Construction(s)	Supporting Evidence
	<p>8.2 must occur before 8.3.</p> <p>8.3 must occur before 8.4.</p> <p>8.4 must occur before 8.5.</p> <p>8.5 must occur before 8.6.</p>	<p>10:18-30, 10:48-56, and Figs. 1-12 and accompanying text.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003</p> <p>GOOG-NDCA-13-5933-CC-00000006-00000008</p> <p>GOOG-NDCA-13-5933-CC-00000085-00000091</p> <p>GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.</p>
Order of steps of claim 13	13.1 must occur before 13.2.	<p>The specification of the '973 patent, including 7:30-8:10, 8:35-9:5, 9:54-10:2, 10:18-30, 10:48-56, and Figs. 1-12 and accompanying text.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003</p> <p>GOOG-NDCA-13-5933-CC-00000006-00000008</p> <p>GOOG-NDCA-13-5933-CC-00000085-00000091</p> <p>GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>GOOG-NDCA-13-5933-CC-00000122-</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.</p>
Order of steps of claim 33	<p>33.1 must occur before 33.2.</p> <p>33.2 must occur before 33.3.</p>	<p>The specification of the '973 patent, including 7:30-8:10, 8:35-9:5, 9:54-10:2, 10:18-30, 10:48-56, and Figs. 1-12 and accompanying text.</p> <p>GOOG-NDCA-13-5933-CC-00000001-00000003</p> <p>GOOG-NDCA-13-5933-CC-00000006-00000008</p> <p>GOOG-NDCA-13-5933-CC-00000085-00000091</p> <p>GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>GOOG-NDCA-13-5933-CC-00000122-00000124</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '973 patent.</p>

**Exhibit A-5****Preliminary Claim Constructions for U.S. Patent No. 6,463,131**

<b>Term</b>	<b>Proposed Construction(s)</b>	<b>Supporting Evidence</b>
“communication event” [Rockstar]	voice or data	<p>The specification of the ‘131 patent, including cols. 1:14-18, 1:62-2:6, 2:20-40, 3:19-4:47, 6:23-7:31, 7:48-8:12, and Figs. 1-3 and accompanying text.</p> <p>The prosecution history of the ‘131 patent, including September 11, 2001 Office Action, December 11, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George</p> <p>RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘131 patent.</p>

Term	Proposed Construction(s)	Supporting Evidence
“incoming communication event” [Google]	voice or data to be transferred to a user’s terminal device	<p>The specification of the ‘131 patent, including cols. 1:14-18, 1:62-2:6, 2:20-40, 3:19-4:47, 6:23-7:31, 7:48-8:12, and Figs. 1-3 and accompanying text.</p> <p>The prosecution history of the ‘131 patent, including September 11, 2001 Office Action, December 11, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘131 patent.</p>
“sending the user” / “to be sent to the user” [Google]	transferring to the user’s terminal device / to be transferred to the user’s terminal device	<p>The specification of the ‘131 patent, including Abstract, 1:14-18, 1:39-50, 1:62-2:6, 2:20-40, 3:19-4:32, 4:49-5:13, 6:16-8:41, and Figs. 1-3 and accompanying text.</p> <p>The prosecution history of the ‘131 patent.</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>including September 11, 2001 Office Action, December 11, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '131 patent.</p>
<p>“notification” (as used in the phrases “selecting a notification based on the characteristic” and “the selected notification”) (claims 1, 3, 4, 5, 7, 8) [Google]</p>	<p>an alert before transferring the incoming communication event</p> <p>(“an incoming communication event” as construed above)</p>	<p>The specification of the '131 patent, including cols. 6:16-8:41, and Figs. 2-3 and accompanying text.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p>

Term	Proposed Construction(s)	Supporting Evidence
		Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '131 patent.
“further notification information” [Google]	more information that is not the actual message or further message information	<p>The specification of the '131 patent, including cols. 6:16-8:41, and Figs. 2-3 and accompanying text.</p> <p>The prosecution history of the '131 patent, including December 11, 2001 Amendment &amp; Remarks, January 29, 2002 Office Action, April 29, 2002 Amendment &amp; Remarks, and May 14, 2002 Notice of Allowability and Reasons for Allowance, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George  RKS_NDCA_0199589-0199593  GOOG-NDCA-13-5933-CC-00000085-00000091  GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '131 patent.</p>
“receiving a selection from the user indicating a format for delivery of further notification information” [Google]	receiving from the user a choice from among two or more formats for the transmission of further notification information to a terminal device  (“further notification information” as construed	The specification of the '131 patent, including 2:33-36, 3:55-64, 4:19-32, 5:4-8, 6:16-8:41, and Figs. 2-3 and accompanying text.

Term	Proposed Construction(s)	Supporting Evidence
	above)	<p>The prosecution history of the ‘131 patent, including December 11, 2001 Amendment &amp; Remarks, January 29, 2002 Office Action, April 29, 2002 Amendment &amp; Remarks, and May 14, 2002 Notice of Allowability and Reasons for Allowance, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘131 patent.</p>
“means for determining a characteristic of the communication event” [Google]	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function</i></p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘131</p>

Term	Proposed Construction(s)	Supporting Evidence
	<p><i>(which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> determining a characteristic of a communication event</p> <p><b>Structure:</b> Server 115 executing alleged algorithms of communication software 170 in FIG. 1 as disclosed in 6:22-32.</p>	<p>patent, including 1:14-18, 1:62-2:6, 2:20-40, 3:19-4:47, 4:60-5:21, 6:16-47, 6:23-7:31, 7:48-8:12 and Figs. 1-3 and accompanying text.</p> <p>The prosecution history of the ‘131 patent, including September 11, 2001 Office Action, December 11, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘131 patent.</p>
“means for selecting a notification based on the characteristic” [Google]	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p>



Term	Proposed Construction(s)	Supporting Evidence
	<p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> selecting a notification based on the characteristic</p> <p><b>Structure:</b> Server 115 executing alleged algorithms of communication software 170 in FIG. 1 as disclosed in 6:22-32.</p>	<p>To the extent not indefinite, Google identifies the specification of the ‘131 patent, including 3:24-37, 4:60-5:21, 6:16-47, and Figs. 1-2 and accompanying text.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘131 patent.</p>
<p>“means for sending the user the selected notification” [Google / Rockstar]</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6</p> <p><b>Function:</b> sending the user the selected notification</p> <p><b>Structure:</b> Server 115 and communication software 170 in FIG. 1 as disclosed in 6:22-32.</p>	<p>The specification of the ‘131 patent, including 1:14-18, 1:39-50, 1:62-2:6, 2:20-40, 3:19-4:32, 4:49-5:21, 6:16-8:41, and Figs. 1-3 and accompanying text.</p> <p>The prosecution history of the ‘131 patent, including September 11, 2001 Office Action, December 11, 2001 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>September 24, 2014 Deposition of Marilyn French-St. George  RKS_NDCA_0199589-0199593  GOOG-NDCA-13-5933-CC-00000085-00000091  GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '131 patent.</p>
<p>“means for receiving a selection from the user indicating a format for delivery of further notification information regarding the communication event” [Google / Rockstar]</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6</p> <p><b>Function:</b> receiving a selection from the user indicating a format for delivery of further notification information regarding the communication event</p> <p><b>Structure:</b> Server 115 executing algorithms of communication software 170 in FIG. 1 as disclosed in 6:39-7:10.</p>	<p>The specification of the '131 patent, including 2:33-36, 3:24-37, 3:55-64, 4:19-32, 4:60-5:21, 6:16-8:41, and Figs. 1-3 and accompanying text.</p> <p>The prosecution history of the '131 patent, including December 11, 2001 Amendment &amp; Remarks, January 29, 2002 Office Action, April 29, 2002 Amendment &amp; Remarks, and May 14, 2002 Notice of Allowability and Reasons for Allowance, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George  RKS_NDCA_0199589-0199593  GOOG-NDCA-13-5933-CC-00000085-</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘131 patent.</p>
<p>“means for allowing the further notification information regarding the communication event to be sent to the user in the selected format” [Google / Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> allowing the further notification information regarding the communication event to be sent to the user in the selected format</p> <p><b>Structure:</b> Server 115 in FIG. 1 executing the alleged software algorithm disclosed in 5:42-50 and 7:12-19.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘131 patent, including 2:33-36, 3:24-37, 3:55-64, 4:19-32, 4:60-5:21, 5:42-50 and 6:16-8:41, and Figs. 1-3 and accompanying text.</p> <p>The prosecution history of the ‘131 patent, including December 11, 2001 Amendment &amp; Remarks, January 29, 2002 Office Action, April 29, 2002 Amendment &amp; Remarks, and May 14, 2002 Notice of Allowability and Reasons for Allowance, and prior art references cited therein.</p> <p>The prosecution history of U.S. Patent No. 6,122,348, including September 3, 1999 Office Action, November 9, 1999 Amendment &amp; Remarks, and prior art references cited therein.</p> <p>September 24, 2014 Deposition of Marilyn</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘131 patent.</p>
<p>“means for selecting includes a choice between at least a tactile alert and a nontactile alert” [Rockstar]</p>	<p>Subject to § 112, ¶ 6</p> <p>This claim term is indefinite under 35 U.S.C. § 112 ¶ 2.</p> <p><i>If the Court determines that the term is not indefinite, then the term should be construed as follows, in light of the disclosures in the specification most closely related to the function (which Google contends are insufficient to render the claim definite under 35 U.S.C. § 112 ¶ 2):</i></p> <p><b>Function:</b> selecting a notification from amongst the choices of at least a tactile alert and a nontactile alert, based on the characteristic</p> <p><b>Structure:</b> Server 115 executing alleged algorithms of communication software 170 in FIG. 1 as disclosed in 6:22-32.</p>	<p>This term is indefinite. No portion of the specification or file history renders it definite. Google will rely on the entire specification and file history to show that this phrase is indefinite, and to rebut Rockstar’s arguments regarding this phrase.</p> <p>To the extent not indefinite, Google identifies the specification of the ‘131 patent, including 3:24-37, 4:60-5:21, 6:16-47, and Figs. 1-2 and accompanying text.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George RKS_NDCA_0199589-0199593 GOOG-NDCA-13-5933-CC-00000085-00000091 GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction</p>

Term	Proposed Construction(s)	Supporting Evidence
		to practice of the asserted claims of the '131 patent.
<b>Order of steps of method claims</b>		
Order of steps of claim 5	5.1 must occur before 5.2. 5.2 must occur before 5.3. 5.3 must occur before 5.4. 5.4 must occur before 5.5.	<p>The specification of the '131 patent, including 6:16-7:41 and accompanying text.</p> <p>September 24, 2014 Deposition of Marilyn French-St. George            RKS_NDCA_0199589-0199593            GOOG-NDCA-13-5933-CC-00000085-00000091            GOOG-NDCA-13-5933-CC-00000095-00000100</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '131 patent.</p>

**Exhibit A-6****Google's Proposed Claim Constructions for U.S. Patent No. 6,765,591**

<b>Term</b>	<b>Proposed Construction(s)</b>	<b>Supporting Evidence</b>
<p>"a collection of palettes" [Google]</p>	<p>a collection of displayed ranges of VPN sub-elements that are made available for each selected VPN element without requiring user input or preprogrammed series of dialogs</p>	<p>Google identifies the specification of the '591 patent, including cols. 2:32-35; 8:3-36; 8:37-41; 9:23-25; 10:49-67 and Figs. 21-24, 28, 30, 31 and corresponding text.</p> <p>The prosecution history of the '591 patent, including October 10, 2001 Office Action, April 9, 2002 Response and Amendment, and July 8, 2002 Allowance, and prior art references cited therein.</p> <p>Sept. 9, 2014 Deposition of James Milillo Sept. 30, 2013 Deposition of Matthew Poisson Oct. 4, 2014 Deposition of Melissa Desroches</p> <p>U.S. Ser. No. 09/285,133, entitled "Bulk Configuring a Virtual Private Network", filed Apr. 2, 1999, U.S. Ser. No. 09/285,558, entitled "Links for Configuring a Virtual Private Network", filed Apr. 2, 1999; and U.S. Ser. No. 09/285,550, entitled "Monitoring a Virtual Private Network", filed Apr. 2, 1999.</p> <p>Configuring and Maintaining Networks with Optivity NET Configurator 2.1 Manual, Bay Networks, October 1998. The New Oak™ Communications Extranet Access Switch Administrator's Guide</p> <p>PRIORART-00141808-00142265</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>           PRIORART-00142280-00142569            PRIORART-00119124-00120153            PRIORART-00118560-00119123            POISSON_EDTX_0000001-0000017            POISSON_EDTX_0000018-0000041            POISSON_EDTX_0000042-0000066            POISSON_EDTX_0000067-0000091            POISSON_EDTX_0000092-0000103            POISSON_EDTX_0000104-0000173            POISSON_EDTX_0000253-0000260            POISSON_EDTX_0000352-0000368            POISSON_EDTX_0000369-0000389            POISSON_EDTX_0000390-0000410            POISSON_EDTX_0000411-0000432            POISSON_EDTX_0001237-0001242            POISSON_EDTX_0024843-0024859            GOOG-NDCA-13-5933-CC-00000169-             00000484             GOOG-NDCA-13-5933-CC-00000485-             00000934             GOOG-NDCA-13-5933-CC-00000935-             00001361             GOOG-NDCA-13-5933-CC-00001369-            00001412             Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘591 patent.         </p>
“properties dialogs”		Google identifies the specification of the

Term	Proposed Construction(s)	Supporting Evidence
[Google]	Displays based on one selected virtual private network element that receives user input to alter the properties of the selected element	<p>'591 patent, including cols. 2:24-29; 8:3-17, 10:49-67 and Figs. 21-27, 29 and corresponding text.</p> <p>The prosecution history of the '591 patent, including October 10, 2001 Office Action, April 9, 2002 Response and Amendment, and July 8, 2002 Allowance, and prior art references cited therein.</p> <p>Sept. 9, 2014 Deposition of James Milillo  Sept. 30, 2013 Deposition of Matthew Poisson  Oct. 4, 2014 Deposition of Melissa Desroches</p> <p>U.S. Ser. No. 09/285,133, entitled "Bulk Configuring a Virtual Private Network", filed Apr. 2, 1999, U.S. Ser. No. 09/285,558, entitled "Links for Configuring a Virtual Private Network", filed Apr. 2, 1999; and U.S. Ser. No. 09/285,550, entitled "Monitoring a Virtual Private Network", filed Apr. 2, 1999.</p> <p>Configuring and Maintaining Networks with Optivity NET Configurator 2.1 Manual, Bay Networks, October 1998.  The New Oak™ Communications Extranet Access Switch Administrator's Guide</p> <p>PRIORART-00141808-00142265  PRIORART-00142280-00142569  PRIORART-00119124-00120153  PRIORART-00118560-00119123  POISSON_EDTX_0000001-00000017  POISSON_EDTX_0000018-0000041</p>



Term	Proposed Construction(s)	Supporting Evidence
		<p>POISSON_EDTX_0000042-0000066  POISSON_EDTX_0000067-0000091  POISSON_EDTX_0000092-0000103  POISSON_EDTX_0000104-0000173  POISSON_EDTX_0000253-0000260  POISSON_EDTX_0000352-0000368  POISSON_EDTX_0000369-0000389  POISSON_EDTX_0000390-0000410  POISSON_EDTX_0000411-0000432  POISSON_EDTX_0001237-0001242  POISSON_EDTX_0024843-0024859  GOOG-NDCA-13-5933-CC-00000169-00000484  GOOG-NDCA-13-5933-CC-00000485-00000934  GOOG-NDCA-13-5933-CC-00000935-00001361  GOOG-NDCA-13-5933-CC-00001369-00001412</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '591 patent.</p>
<p>“wizard”  [Google]</p>	<p>Dialogs that guide the user through a process in order to perform a task</p>	<p>Google identifies the specification of the '591 patent, including cols. 2:55-56; 5:15-17; 5:18-21; 8:3-17; 10:49-67; Figs. 5-13 and corresponding text.</p> <p>The prosecution history of the '591 patent.</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>including October 10, 2001 Office Action, April 9, 2002 Response and Amendment, and July 8, 2002 Allowance, and prior art references cited therein.</p> <p>Sept. 9, 2014 Deposition of James Milillo  Sept. 30, 2013 Deposition of Matthew Poisson  Oct. 4, 2014 Deposition of Melissa Desroches</p> <p>U.S. Ser. No. 09/285,133, entitled “Bulk Configuring a Virtual Private Network”, filed Apr. 2, 1999, U.S. Ser. No. 09/285,558, entitled “Links for Configuring a Virtual Private Network”, filed Apr. 2, 1999; and U.S. Ser. No. 09/285,550, entitled “Monitoring a Virtual Private Network”, filed Apr. 2, 1999.</p> <p>Configuring and Maintaining Networks with Optivity NET Configurator 2.1 Manual, Bay Networks, October 1998.  The New Oak™ Communications Extranet Access Switch Administrator’s Guide</p> <p>PRIORART-00141808-00142265  PRIORART-00142280-00142569  PRIORART-00119124-00120153  PRIORART-00118560-00119123  POISSON_EDTX_0000001-0000017  POISSON_EDTX_0000018-0000041  POISSON_EDTX_0000042-0000066  POISSON_EDTX_0000067-0000091  POISSON_EDTX_0000092-0000103  POISSON_EDTX_0000104-0000173  POISSON_EDTX_0000253-0000260</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>POISSON_EDTX_0000352-0000368  POISSON_EDTX_0000369-0000389  POISSON_EDTX_0000390-0000410  POISSON_EDTX_0000411-0000432  POISSON_EDTX_0001237-0001242  POISSON_EDTX_0024843-0024859  GOOG-NDCA-13-5933-CC-00000169-00000484  GOOG-NDCA-13-5933-CC-00000485-00000934  GOOG-NDCA-13-5933-CC-00000935-00001361  GOOG-NDCA-13-5933-CC-00001369-00001412</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '591 patent.</p>
<p>“managing a virtual private network”  [Google]</p>	<p>Administering a virtual private network</p>	<p>Google identifies the specification of the '591 patent, including Abstract; cols. 1:34-54; 2:30-41; 2:63-64; 3:6-20; 3:37-42; 5:18-29; 5:42-60; 6:43-48; 6:49-52; 7:51-66; 8:3-29; 10:49-67 and Figs. 1, 5-13, 14-15, 32, 39 and corresponding text.</p> <p>The prosecution history of the '591 patent, including October 10, 2001 Office Action, April 9, 2002 Response and Amendment, and July 8, 2002 Allowance, and prior art</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>references cited therein.</p> <p>Sept. 9, 2014 Deposition of James Milillo  Sept. 30, 2013 Deposition of Matthew Poisson  Oct. 4, 2014 Deposition of Melissa Desroches</p> <p>U.S. Ser. No. 09/285,133, entitled “Bulk Configuring a Virtual Private Network”, filed Apr. 2, 1999, U.S. Ser. No. 09/285,558, entitled “Links for Configuring a Virtual Private Network”, filed Apr. 2, 1999; and U.S. Ser. No. 09/285,550, entitled “Monitoring a Virtual Private Network”, filed Apr. 2, 1999.</p> <p>Configuring and Maintaining Networks with Optivity NET Configurator 2.1 Manual, Bay Networks, October 1998.  The New Oak™ Communications Extranet Access Switch Administrator’s Guide</p> <p>PRIORART-00141808-00142265  PRIORART-00142280-00142569  PRIORART-00119124-00120153  PRIORART-00118560-00119123  POISSON_EDTX_0000001-0000017  POISSON_EDTX_0000018-0000041  POISSON_EDTX_0000042-0000066  POISSON_EDTX_0000067-0000091  POISSON_EDTX_0000092-0000103  POISSON_EDTX_0000104-0000173  POISSON_EDTX_0000253-0000260  POISSON_EDTX_0000352-0000368  POISSON_EDTX_0000369-0000389  POISSON_EDTX_0000390-0000410</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>POISSON_EDTX_0000411-0000432  POISSON_EDTX_0001237-0001242  POISSON_EDTX_0024843-0024859  GOOG-NDCA-13-5933-CC-00000169-    00000484    GOOG-NDCA-13-5933-CC-00000485-    00000934    GOOG-NDCA-13-5933-CC-00000935-    00001361    GOOG-NDCA-13-5933-CC-00001369-  00001412</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '591 patent.</p>

**Exhibit A-7****Google's Proposed Claim Constructions for U.S. Patent No. 6,937,572**

<b>Term</b>	<b>Proposed Construction(s)</b>	<b>Supporting Evidence</b>
"call" [Google]	a telephony session such as a voice, video, or chat session	<p>The specification of the '572 patent, including the Abstract; cols. 1:7-67; 2:3-27; 2:45-4:38 and Fig. 1 and accompanying text..</p> <p>The prosecution history of the '572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action; February 28, 2005 Examiner Interview Summary Record, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan  EGAN_NDCA_0000023-0000029  EGAN_EDTX_0000018-0000022  RKS_NDCA_0161248-0161249  EGAN_NDCA_0000001-0000004  GOOG-NDCA-13-5933-CC-00000009-00000023  GOOG-NDCA-13-5933-CC-00000024-00000032  GOOG-NDCA-13-5933-CC-00000033-00000044  GOOG-NDCA-13-5933-CC-00000045-00000055  GOOG-NDCA-13-5933-CC-00000056-00000070  GOOG-NDCA-13-5933-CC-00000082-</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>00000084  GOOG-NDCA-13-5933-CC-00000092-00000094  GOOG-NDCA-13-5933-CC-00000112-00000114  GOOG-NDCA-13-5933-CC-00000115-00000117  GOOG-NDCA-13-5933-CC-00000118-00000121  GOOG-NDCA-13-5933-CC-00001362-00001365  GOOG-NDCA-13-5933-CC-00001366-00001368  GOOG-NDCA-13-5933-CC-00001413-00001417</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘572 patent.</p>
“call trace” [Google]	feature permitting tracing of a call (path/route that call takes place on)  (“call” used as construed above)	<p>The specification of the ‘572 patent, including the Abstract; cols. 1:7-67; 2:3-27; 2:45-4:38 and Fig. 1 and accompanying text..</p> <p>The prosecution history of the ‘572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action; February 28, 2005 Examiner Interview Summary Record, and prior art references cited therein.</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>September 13, 2014 Deposition of Brian Egan</p> <p>EGAN_NDCA_0000023-0000029</p> <p>EGAN_EDTX_0000018-0000022</p> <p>RKS_NDCA_0161248-0161249</p> <p>EGAN_NDCA_0000001-0000004</p> <p>GOOG-NDCA-13-5933-CC-00000009-00000023</p> <p>GOOG-NDCA-13-5933-CC-00000024-00000032</p> <p>GOOG-NDCA-13-5933-CC-00000033-00000044</p> <p>GOOG-NDCA-13-5933-CC-00000045-00000055</p> <p>GOOG-NDCA-13-5933-CC-00000056-00000070</p> <p>GOOG-NDCA-13-5933-CC-00000082-00000084</p> <p>GOOG-NDCA-13-5933-CC-00000092-00000094</p> <p>GOOG-NDCA-13-5933-CC-00000112-00000114</p> <p>GOOG-NDCA-13-5933-CC-00000115-00000117</p> <p>GOOG-NDCA-13-5933-CC-00000118-00000121</p> <p>GOOG-NDCA-13-5933-CC-00001362-00001365</p> <p>GOOG-NDCA-13-5933-CC-00001366-00001368</p> <p>GOOG-NDCA-13-5933-CC-00001413-00001417</p>



Term	Proposed Construction(s)	Supporting Evidence
		Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '572 patent.
"call trace information" [Google]	information provided by a call trace  ("call trace" and "call" used as construed above)	<p>The specification of the '572 patent, including the Abstract; cols. 1:7-67; 2:3-27; 2:45-4:38 and Fig. 1 and accompanying text..</p> <p>The prosecution history of the '572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action; February 28, 2005 Examiner Interview Summary Record, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan EGAN_NDCA_0000023-0000029 EGAN_EDTX_0000018-0000022 RKS_NDCA_0161248-0161249 EGAN_NDCA_0000001-0000004 GOOG-NDCA-13-5933-CC-00000009-00000023 GOOG-NDCA-13-5933-CC-00000024-00000032 GOOG-NDCA-13-5933-CC-00000033-00000044 GOOG-NDCA-13-5933-CC-00000045-00000055 GOOG-NDCA-13-5933-CC-00000056-</p>

Term	Proposed Construction(s)	Supporting Evidence
		00000070 GOOG-NDCA-13-5933-CC-00000082-00000084 GOOG-NDCA-13-5933-CC-00000092-00000094 GOOG-NDCA-13-5933-CC-00000112-00000114 GOOG-NDCA-13-5933-CC-00000115-00000117 GOOG-NDCA-13-5933-CC-00000118-00000121 GOOG-NDCA-13-5933-CC-00001362-00001365 GOOG-NDCA-13-5933-CC-00001366-00001368 GOOG-NDCA-13-5933-CC-00001413-00001417  Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘572 patent.
“network compatible device” [Google & Rockstar]	device capable of making or receiving a call on a packet-switched network  (“call” used as construed above)	The specification of the ‘572 patent, including the Abstract; cols. 1:7-67; 2:3-27; 2:45-4:38 and Fig. 1 and accompanying text..  The prosecution history of the ‘572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment & Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action; February 28, 2005 Examiner Interview Summary

Term	Proposed Construction(s)	Supporting Evidence
		<p>Record, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan</p> <p>EGAN_NDCA_0000023-0000029</p> <p>EGAN_EDTX_0000018-0000022</p> <p>RKS_NDCA_0161248-0161249</p> <p>EGAN_NDCA_0000001-0000004</p> <p>GOOG-NDCA-13-5933-CC-00000009-00000023</p> <p>GOOG-NDCA-13-5933-CC-00000024-00000032</p> <p>GOOG-NDCA-13-5933-CC-00000033-00000044</p> <p>GOOG-NDCA-13-5933-CC-00000045-00000055</p> <p>GOOG-NDCA-13-5933-CC-00000056-00000070</p> <p>GOOG-NDCA-13-5933-CC-00000082-00000084</p> <p>GOOG-NDCA-13-5933-CC-00000092-00000094</p> <p>GOOG-NDCA-13-5933-CC-00000112-00000114</p> <p>GOOG-NDCA-13-5933-CC-00000115-00000117</p> <p>GOOG-NDCA-13-5933-CC-00000118-00000121</p> <p>GOOG-NDCA-13-5933-CC-00001362-00001365</p> <p>GOOG-NDCA-13-5933-CC-00001366-00001368</p> <p>GOOG-NDCA-13-5933-CC-00001413-</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>00001417</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘572 patent.</p>
<p>“end point device” [Google &amp; Rockstar]</p>	<p>device being traced by the network-compatible device</p>	<p>The specification of the ‘572 patent, including the Abstract; cols. 1:7-67; 2:3-27; 2:45-4:38 and Fig. 1 and accompanying text..</p> <p>The prosecution history of the ‘572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action; February 28, 2005 Examiner Interview Summary Record, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan EGAN_NDCA_0000023-0000029 EGAN_EDTX_0000018-0000022 RKS_NDCA_0161248-0161249 EGAN_NDCA_0000001-0000004 GOOG-NDCA-13-5933-CC-00000009-00000023 GOOG-NDCA-13-5933-CC-00000024-00000032 GOOG-NDCA-13-5933-CC-00000033-00000044 GOOG-NDCA-13-5933-CC-00000045-00000055</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>GOOG-NDCA-13-5933-CC-00000056-00000070</p> <p>GOOG-NDCA-13-5933-CC-00000082-00000084</p> <p>GOOG-NDCA-13-5933-CC-00000092-00000094</p> <p>GOOG-NDCA-13-5933-CC-00000112-00000114</p> <p>GOOG-NDCA-13-5933-CC-00000115-00000117</p> <p>GOOG-NDCA-13-5933-CC-00000118-00000121</p> <p>GOOG-NDCA-13-5933-CC-00001362-00001365</p> <p>GOOG-NDCA-13-5933-CC-00001366-00001368</p> <p>GOOG-NDCA-13-5933-CC-00001413-00001417</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘572 patent.</p>
<p>“logging the call trace information” [Rockstar]</p>	<p>“recording call trace information over time”</p>	<p>The specification of the ‘572 patent, including cols. 1:47-50; 3:26-28 and 3:46-52.</p> <p>The prosecution history of the ‘572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action; February</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>28, 2005 Examiner Interview Summary Record, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan</p> <p>EGAN_NDCA_0000023-0000029</p> <p>EGAN_EDTX_0000018-0000022</p> <p>RKS_NDCA_0161248-0161249</p> <p>EGAN_NDCA_0000001-0000004</p> <p>GOOG-NDCA-13-5933-CC-00000009-00000023</p> <p>GOOG-NDCA-13-5933-CC-00000024-00000032</p> <p>GOOG-NDCA-13-5933-CC-00000033-00000044</p> <p>GOOG-NDCA-13-5933-CC-00000045-00000055</p> <p>GOOG-NDCA-13-5933-CC-00000056-00000070</p> <p>GOOG-NDCA-13-5933-CC-00000082-00000084</p> <p>GOOG-NDCA-13-5933-CC-00000092-00000094</p> <p>GOOG-NDCA-13-5933-CC-00000112-00000114</p> <p>GOOG-NDCA-13-5933-CC-00000115-00000117</p> <p>GOOG-NDCA-13-5933-CC-00000118-00000121</p> <p>GOOG-NDCA-13-5933-CC-00001362-00001365</p> <p>GOOG-NDCA-13-5933-CC-00001366-00001368</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>GOOG-NDCA-13-5933-CC-00001413-00001417</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘572 patent.</p>
<p>“storing the call trace information” [Rockstar]</p>	<p>Plain meaning</p>	<p>The specification of the ‘572 patent, including cols. 1:47-50; 3:26-28; 3; 46-52; 4:8-32 and Fig. 1 and accompanying text.</p> <p>The prosecution history of the ‘572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action; February 28, 2005 Examiner Interview Summary Record, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan EGAN_NDCA_0000023-0000029 EGAN_EDTX_0000018-0000022 RKS_NDCA_0161248-0161249 EGAN_NDCA_0000001-0000004 GOOG-NDCA-13-5933-CC-00000009-00000023 GOOG-NDCA-13-5933-CC-00000024-00000032 GOOG-NDCA-13-5933-CC-00000033-00000044 GOOG-NDCA-13-5933-CC-00000045-</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>00000055  GOOG-NDCA-13-5933-CC-00000056-00000070  GOOG-NDCA-13-5933-CC-00000082-00000084  GOOG-NDCA-13-5933-CC-00000092-00000094  GOOG-NDCA-13-5933-CC-00000112-00000114  GOOG-NDCA-13-5933-CC-00000115-00000117  GOOG-NDCA-13-5933-CC-00000118-00000121  GOOG-NDCA-13-5933-CC-00001362-00001365  GOOG-NDCA-13-5933-CC-00001366-00001368  GOOG-NDCA-13-5933-CC-00001413-00001417</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the ‘572 patent.</p>
“generating a request for call trace information” [Google]	making a query for call trace information by a network compatible device  (“call,” “call trace,” and “call trace information” used as construed above)	<p>The specification of the ‘572 patent, including the Abstract; cols. 1:7-67; 2:3-27; 2:45-4:38 and Fig. 1 and accompanying text.</p> <p>The prosecution history of the ‘572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office</p>



Term	Proposed Construction(s)	Supporting Evidence
		<p>Action; March 2, 2005 Amendment and Response after Final Office Action; February 28, 2005 Examiner Interview Summary Record, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan</p> <p>EGAN_NDCA_0000023-0000029</p> <p>EGAN_EDTX_0000018-0000022</p> <p>RKS_NDCA_0161248-0161249</p> <p>EGAN_NDCA_0000001-0000004</p> <p>GOOG-NDCA-13-5933-CC-00000009-00000023</p> <p>GOOG-NDCA-13-5933-CC-00000024-00000032</p> <p>GOOG-NDCA-13-5933-CC-00000033-00000044</p> <p>GOOG-NDCA-13-5933-CC-00000045-00000055</p> <p>GOOG-NDCA-13-5933-CC-00000056-00000070</p> <p>GOOG-NDCA-13-5933-CC-00000082-00000084</p> <p>GOOG-NDCA-13-5933-CC-00000092-00000094</p> <p>GOOG-NDCA-13-5933-CC-00000112-00000114</p> <p>GOOG-NDCA-13-5933-CC-00000115-00000117</p> <p>GOOG-NDCA-13-5933-CC-00000118-00000121</p> <p>GOOG-NDCA-13-5933-CC-00001362-00001365</p>

Term	Proposed Construction(s)	Supporting Evidence
		<p>GOOG-NDCA-13-5933-CC-00001366-00001368</p> <p>GOOG-NDCA-13-5933-CC-00001413-00001417</p> <p>Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '572 patent.</p>
<b>Order of steps of method claims</b>		
Order of steps of claim 17	<p>17.1 must occur before 17.2</p> <p>17.2 must occur before 17.3</p> <p>17.3 must occur before 17.4</p> <p>17.4 must occur before 17.5</p>	<p>The specification of the '572 patent, including the Abstract; 2:3-28; 3:10-25; 3:40-52; 4:25-38.</p> <p>The prosecution history of the '572 patent, including May 24, 2004 Office Action; September 23, 2004 Interview Request; October 1, 2004 Amendment &amp; Response to Office Action; November 24, 2004 Office Action; March 2, 2005 Amendment and Response after Final Office Action, and prior art references cited therein.</p> <p>September 13, 2014 Deposition of Brian Egan</p> <p>EGAN_NDCA_0000023-0000029</p> <p>EGAN_EDTX_0000018-0000022</p> <p>RKS_NDCA_0161248-0161249</p> <p>EGAN_NDCA_0000001-0000004</p> <p>GOOG-NDCA-13-5933-CC-00000009-00000023</p> <p>GOOG-NDCA-13-5933-CC-00000024-00000032</p> <p>GOOG-NDCA-13-5933-CC-00000033-</p>

Term	Proposed Construction(s)	Supporting Evidence
		00000044 GOOG-NDCA-13-5933-CC-00000045-00000055 GOOG-NDCA-13-5933-CC-00000056-00000070 GOOG-NDCA-13-5933-CC-00000082-00000084 GOOG-NDCA-13-5933-CC-00000092-00000094 GOOG-NDCA-13-5933-CC-00000112-00000114 GOOG-NDCA-13-5933-CC-00000115-00000117 GOOG-NDCA-13-5933-CC-00000118-00000121 GOOG-NDCA-13-5933-CC-00001362-00001365 GOOG-NDCA-13-5933-CC-00001366-00001368 GOOG-NDCA-13-5933-CC-00001413-00001417  Any additional documents cited or relied upon by Rockstar in support of any contention of earlier conception or reduction to practice of the asserted claims of the '572 patent.